



DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **APPARATUS IN SELECTED HOUSINGS FOR PRODUCING AND DISPENSING AUTOMOBILE APPEARANCE CARE PRODUCTS**, the specification of which:

☐ is attached herewith.

☒ was filed on August 22, 2003 as Application Serial No. 10/646,629.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

N/A			Yes/No
(Number)	(Country)	(Date Filed)	
N/A			Yes/No
(Number)	(Country)	(Date Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

10/321,779	December 17, 2002	Pending
(Application Serial No.)	(Filing Date)	(Status)
N/A		
(Application Serial No.)	(Filing Date)	(Status)

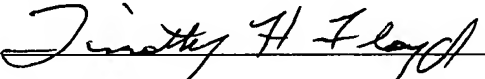
I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:

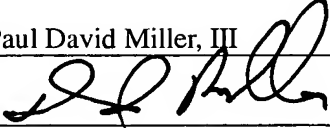
<u>60/342,575</u>	<u>December 19, 2001</u>
(Application Serial No.)	(Filing Date)
<u>N/A</u>	
(Application Serial No.)	(Filing Date)

Please direct all communications as follows:

Customer Number: 35690
Eric B. Meyertons
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. Box 398
Austin, Texas 78767-0398
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Timothy H. Floyd
Inventor's Signature:  Date: 10-21-03
Country of Residence: United States Citizenship: USA
Residence Address: 1617 Russell Dr Garland TX 75040
(Include number, street name, city, state and zip code)

Inventor's Full Name: Paul David Miller, III
Inventor's Signature:  Date: 10/21/03
Country of Residence: United States Citizenship: USA
Residence Address: 10995 CROOKED CREEK DR DALLAS TX 75229
(Include number, street name, city, state and zip code)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/646,629
Filed: August 22, 2003
Inventor(s):
Floyd et al.

Examiner: Unknown
Art Unit: Unknown
Atty. Dkt. No: 5082-09905

Title: APPARATUS IN
SELECTED HOUSINGS
FOR PRODUCING AND
DISPENSING
AUTOMOBILE
APPEARANCE CARE
PRODUCTS

CERTIFICATE OF MAILING
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: 12.4.03

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents
Alexandria, VA 22313

B. Gail Ballard

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY

Commissioner for Patents
Alexandria, VA 22313

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints: (1) the practitioners at Customer Number 35690; and (2)

Mark K. Brightwell	Reg. No. 47,446
Kay A. Colapret	Reg. No. 52,759
Steve J. Curran	Reg. No. 50,664
Mark R. DeLuca	Reg. No. 44,649
Heather L. Flanagan	Reg. No. 54,101
Russell Henrichs	Reg. No. 50,354
Erik A. Heter	Reg. No. 50,652
Jeffrey C. Hood	Reg. No. 35,198
B. Noël Kivlin	Reg. No. 33,929
Robert C. Kowert	Reg. No. 39,255
Lawrence J. Merkel	Reg. No. 41,191
Eric B. Meyertons	Reg. No. 34,876

Floyd et al.
10/646,629

Neal E. Persky	Reg. No. 53,452
Liza Philip	Reg. No. 51,352
David W. Quimby	Reg. No. 39,338
Rory D. Rankin	Reg. No. 47,884
Gareth Sampson	Reg. No. 52,191
Chris Thompson	Reg. No. 43,188
Mark S. Williams	Reg. No. 50,658

each an attorney or agent of the firm of MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Auto Wax Company, Inc., referenced below, and certify that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Eric B. Meyertons, Esq.
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TEXAS 78767-0398
(512) 853-8888 (voice)
(512) 853-8801 (facsimile)

ASSIGNEE:

AUTO WAX COMPANY, INC

By: 

Title:

CEO

Date: 10/21/03

ASSIGNMENT: X Enclosed for recording